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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/534,562	03/27/2000	Shintaro Ichihara	Q58495	3546

7590 03/24/2004

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2100 Pennsylvania Avenue N W
Washington, DC 20037-3202

EXAMINER

HO, TUAN V

ART UNIT	PAPER NUMBER
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2612

DATE MAILED: 03/24/2004

11

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/534,562

Applicant(s)

ICHIHARA, SHINTARO

Examiner

TUAN HO

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-5 and 8-11 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☒ Claim(s) 7 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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1. Applicant's arguments, see the remarks, filed 12/29/03, with respect to the rejection(s) of claim(s) 1-7 under Hsieh et al have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of HULL cited by Applicant and Hsieh et al.

2. Claims are objected to because of the following informalities:

The term "date" in claims 1, 5 and 8, line 1 should read as "data".

The term "am" in claim 1 and 8 should be read as "an".
Appropriate correction is required.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hull in view of Hsieh et al.

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Hull discloses in Fig. 1, a portable transfer system that comprises the digital camera (capture device 20 includes memory 24, col. 2, line 1-5), first memory section a saving area (image storage device 58 can store image data from the camera 20 as permanent images, col. 2, lines 47-50), output means for outputting the desired image data to be printed from the memory sections to an external printing apparatus (CPU 52 controls the image storage device to output desired image data to external printing device 70 for a hard copy, col. 4, lines 19-46), except that the first memory section having a cache area storing a new image data by deleting a stored image data at need.

Hull does not explicitly disclose any cache area in the storage. However, Hsieh et al teaches using cache memory 134, col. 5, lines 64-65; a section including main memory 132 and cache memory 134 can store image data, col. 9, lines 40-51; cache memory 143 and main memory 132 are used to store image data from the camera 110 and the image data is processed by processor 128, col. 9, lines 20-32; it is noted that according to a function of a cache memory, cache 134 inherently stores image data that can be deleted and new image data can be stored; and main memory 132 is a saving area in which the image data is inherently accumulated so as to be processed by processor 128.

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The cache function is used to speed up the read and write process of the memory.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate a cache area the image storage device of Hull so as to store a new image and delete a stored image at need and thereby to speed up the transfer time between the camera the storage device.

4. Claim 7 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. Claims 1-6 and 8-11 are allowed.

The prior art of record fails to suggest or disclose:

With regard to claim 1, an image data processing system comprising a communication apparatus having a communication section respectively provided in the digital camera and the image data memory apparatus, and the communication section transmitting and receiving the image data, and a communication path to which the communication section is connected, wherein the first memory section is provided with a cache area in which the stored image data is deleted at need and the new image data is stored, and a saving area in which the image data is accumulated.

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With regard to claim 8, an image data processing system comprising a digital camera having an image pick-up means for converting light from a photographic object into the image data and a direction means for directing in which area of the saving area and cache area the image data is stored, and a communication apparatus having a communication section respectively provided in a digital camera and the image data memory apparatus, and the communication section transmitting and receiving the image data, and a communication path to which the communication section is connected.

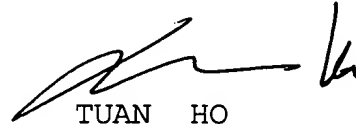
6. This Office action is not made Final because of new grounds of rejection.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to TUAN HO whose telephone number is (703) 305-4943. The examiner can normally be reached on Mon-Fri from 7AM to 4PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WENDY GARBBER, can be reached on (703) 305-4924. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.



TUAN HO

Primary Examiner

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